

State Records Committee Meeting
May 27, 2009
Room 217
Georgia Archives Building
Morrow, Georgia Archives

Members Present:

Governor's Designee	Nels Peterson, Deputy Executive Counsel
Governor's Appointee	Asalya Akhmerova, Governor's Office
State Auditor Designee	Lee Whitesides, Director of Administration

Secretary of State Designee	David W. Carmicheal, Director Georgia Archives
Local Government	Dianne C. Renfroe, Probate Judge Taylor County
Administrative Office of The Courts – Liaison	Gregory Arnold, Assistant Director of Research

Staff and Guests

Andrew S. Taylor	Georgia Archives
Howard Siggelko	Cobb County Board of Education

Meeting was called to order by David Carmicheal, chairman. Members, staff and guests introduced themselves. Mr. Carmicheal provided a brief description of the retention scheduling process and the roles played by the Archives Staff and the State Records Committee.

Mr. Whitesides raised the question as to whether the criteria should be reviewed and updated. It was decided in discussion not to do so at this time.

Acceptance of Minutes

Mr. Carmicheal asked for a motion to accept the minutes of the November 9, 2007 State Records Committee Meeting. Mr. Arnold requested that his name be corrected from Allen to Arnold. Mr. Whitesides moved the minutes be accepted. Mr. Peterson seconded. All voted in the affirmative. The minutes were accepted.

Local Government Common Schedule (see attached copy)

Education

Behavior Policy/Code of conduct records

Rejected – retain 1 year retention

- Committee believes that “Retain for useful life” is not specific enough in this case (though it is used appropriately in other parts of the schedule).
- Committee presented the scenario where a parent claims not to have signed an acknowledgement and the school system, having destroyed the records, is unable to prove otherwise.
- Committee believes this may have been presented for two reasons: (1) school systems want to keep the record longer than 1 year, in which case they are free to do so since retention periods are minimum periods; or (2) school systems want to destroy a record soon after it becomes obsolete—since, for example, an acknowledgement signed in the last few weeks of the school year becomes obsolete at the end of the school year but, under current policy would have to be retained for a full year—in which case the retention period might be “retain until the beginning of the next school year.”

Mr. Whitesides made a motion to retain the original 1 year retention. Mr. Peterson seconded. Committee voted unanimously to retain 1 year retention.

Public Safety

Fire Incident Reports

Rejected – retain retention period of 50 years

- Committee discussed with fire fighters who believe these records might be necessary, even decades after the fact, to demonstrate exposure to harmful chemicals or other hazards.

Fire/Arson Investigation Files

Rejected – retain retention period of 50 years

- Committee discussed with fire fighters who believe these records might be necessary, even decades after the fact, to demonstrate exposure to harmful chemicals or other hazards.

Ms. Akhmerova moved that these two retention schedules, Fire Incident Reports and Fire/Arson Investigation Files be retained for the original 50 year period. Mr. Peterson seconded. Committee voted unanimously to retain 50 year retention.

Mr. Peterson moved that the Local Government Common Schedule be approved with the approved changes made by the committee. Mr. Whitesides seconded. Committee voted unanimously to approve.

Secretary of State – Professional Licensing Board (see attached copy)

Mr. Peterson moved that the Secretary of State Professional Licensing Board Schedules be approved as submitted. Mr. Whitesides seconded. Committee voted unanimously to approve.

Georgia Regional Transportation Authority (see attached copy)

Judge Renfroe moved that the Georgia Regional Transportation Authority Schedules be approved as submitted. Mr. Peterson seconded. Committee voted unanimously to approve.

Department of Community Affairs (see attached copy)

Mr. Whitesides moved that the Department of Community Affairs Schedules be approved as submitted. Ms. Akhmerova seconded. Committee voted unanimously to approve.

Board of Regents – University System of Georgia (see attached copy)

(A-33) Policies and Procedures Records

Clarification: The new retention period is “After 7 years transfer to Archives.”
The “3 years,” phrase is an error.

(A-42) Bid and Competitive Selection Records

Rejected – return to University System for review

- Committee believes that 3 months is too short a period.
- Committee does not want to impose a specific longer period but asks that the question be reviewed by the University System.
- Since this retention period is consistent across many retention schedules, Committee asks Archives to review other schedules, code sections cited (O.C.G.A. 9-3-24, 9-3-51) and, if possible, get advice from Attorney General, Inspector General, and Auditor (Lee Whitesides will review with Auditor).
- See also the note, below, under *State Government Common Schedules, Bid and Competitive Selection Records, Non-selected* for additional information.

Mr. Peterson moved that schedule A-42 Bid and Competitive Selection Records be denied. Ms. Akhmerova seconded. Committee voted unanimously to approve.

(C-8) Medical Records

Clarification: Committee wondered about advisability of keeping records beyond time when student reaches age 21. Review code section cited (O.C.G.A. 9-3-33, 31-33-2) to see whether code section requires destruction at that point (e.g., for privacy protection?).

The Committee approved this retention period, however. (Clarification was requested by Courts observer, not by any voting member of the Committee).

Mr. Whitesides moved that the Board of Regents – University System of Georgia Schedules be approved as amended by the committee. Judge Renfroe seconded. Committee voted unanimously to approve.

Technical College System of Georgia

(0415-036) Student conduct records/Disciplinary action records

Rejected – return to Technical College System for review

- Committee believes 5 years after graduation may be too short a period.
- Committee does not want to impose a specific longer period but asks that the question be reviewed by the Technical College System.
- Committee asks that retention period be looked at in light of the following scenario: a student graduates from a technical college and then earns a Baccalaureate and attends Law School. When the student takes the bar exam, s/he will be required to submit information about any disciplinary actions taken during his/her entire post-high school career. Disciplinary records from a Technical College might be relevant to that request.

Mr. Peterson moved that the (0415-036) Student conduct records/Disciplinary action records be denied. Mr. Whitesides seconded. The committee voted unanimously to approve.

Mr. Peterson moved that the Technical College System of Georgia Schedules be approved as amended by the committee. Judge Renfroe seconded. The committee voted unanimously to approve.

State Government Common Schedule

Accounting - Bid and Competitive Selection records, Non-selected

Rejected – return to Archives for review

- Committee wonders (1) whether the document description should specify purchases \$5,000 or greater, as specified in other retention documents (University system, for example, specifies). And (2) whether 3 months is sufficient. See note, above, under *University System of Georgia, Bid and Competitive Selection Records* and add to the code sections investigated those that are cited in this schedule (O.C.G.A. 50-5-67, 13-10-20 and the DOAS Vendor Manual).

Mr. Peterson moved that the Bid and Competitive Selection records, Non-selected be denied. Mr. Whitesides seconded. The committee voted unanimously to approve.

Mr. Whitesides moved that the State Government Common Schedules as amended by the committee be approved. Judge Renfroe seconded. The committee voted unanimously to approve.

Discussion

There was brief discussion among the committee members. Judge Renfroe thanked the archives for all the help she has received in Taylor County. Mr. Arnold asked about the progress with the Digital Archives. There was a general discussion regarding the budget and its impact.

Mr. Whitesides moved that the meeting be adjourned. Judge Renfroe seconded. Committee voted unanimously to adjourn.

Meeting was adjourned by the Chairman, Mr. Carmicheal.

Submitted by Andrew S. Taylor